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AUG 19 2019

JAMES N. HATTEN, Clerk

Deputy Clerk

In The United States District Court

Northern District of Georgia

Atlanta Division

Willie C. Walker

Plaintiff,

V.

State of Georgia,

Judge, Tom Campbell;

DBHDD;

Antron Evans.

Defendants.

) RICO COMPLAINT

) 18 USC 1961- 1968

)

) Case No. **19-CV-3741**

RICO Complaint
18 USC 1961-1968

Comes Now, Willie C. Walker, Pro se and files this his complaint pursuant to Title 18 USC 1961-1968. Petitioner cites code section O.C.G.A. 15-6-21 and moves this court to vacate and set aside Order Modifying Civil Commitment dated November 8th 2018 in the Superior Court of Fulton County by Judge Tom Campbell Atlanta Judicial Circuit, Rule 60 of the F.R.C.P. Harvey v. Harvey, 949 F.2d. 1127, 11th cir.(1992); involuntary commitment-State compulsion for the Purposes of a suit under the Federal Civil Rights Act. This Honorable Superior Court has Original jurisdiction pursuant to the Civil Rico remedies at 18 USC 1964. U.S. Supreme Ct. In Taffin v. Levitt 493 U.S. 455 (1990), and the U.S. Court of Appeals for the ninth circuit in Lou v. Belzberg 834 U.S. F.2d. 730(a). Petitioner now testifies that the partial list of acts And events now documented in Exhibits constitutes probable cause for all relief requested, 18 USC 1961(4),(5),(9), and 1962(b).

During the ten years calendar years, all defendants did cooperate jointly and severally in the Commission of the rico predicated acts that itemized in the rico laws at 18usc 1961(a) and (b) and did so in violation of the rico laws at 18usc 1962(b), (prohibited activity.

However, most courts agree that section 1962(c) requires an injury that is not contingent On future events or speculative in nature. Thus for purposes of sufficiently pleading proximate Cause, the rico plaintiff must allege an injury that was foreseeable, concrete in nature, and not subject to speculation. It is necessary to show that a violation of section 1962 occurred before

A plaintiff can recover treble damages under section 1964. See all Exhibits attached, Civil Commitment Orders of the United States District Courts, Bind over Notification-City of South Fulton Municipal Court. 28 USC- 2244(a), 28 USC-2244(d) (1) (b). 18 USC- 1964(b) 1982 provides: The attorney General may institute proceedings under this section. In any action Brought by the United States under this section, the court shall proceed as soon as practicable To the hearing and determination thereof. Pending final determination thereof, the court may at any time enter such restraining orders or prohibitions, or take such other actions, including The acceptance of satisfactory performance bonds, as it shall deem proper.

District Court generally should not Sua Sponte dismiss a habeas petition for failure to Exhaust state remedies. Prather v. Norman 901 F. 2d. 915, 918.(11th Cir. 1990).

Requiring petitioner to exhaust his claims in the state courts serves important federal Interests of comity and judicial efficiency because presenting those claims to the state Courts may moot the need for federal habeas relief or, at a minimum, focus the factual And or, legal issues underlying the claims. Cranberry v. Greer, 481 US 129,134-35(1987) Rico-18USC 1962(a)(d).Collusive Joinder- The joinder of a defendant, commonly a Non-resident , for purpose of removal to or conferring jurisdiction on a federal court. Bentley v. Halliburton 174 F. 2d. 788, 791. See Restatement (second) of judgments, Introductory Note to ch. 2, at 8-17(Tent.Draft No. 5, 1978) using the term "territorial Jurisdiction;" to refer to personal jurisdiction; Clermont, Restating Territorial Jurisdiction And venue for state and Federal Courts, 66 Cornell L. Rev. 411 (1981); Hazard, A General Theory of state court jurisdiction, 1965 Sup. Ct. Rev. 241; Note, Filling the void; Judicial power and jurisdictional attacks on judgments, 87 Yale L.J. 164 n.1(1977) 66 Yale L.J. 526 (1957).

Jurisdiction and Venue

The petitioner, Willie C. Walker, seeks redress for violations of his Federal Civil Rights Under 42 usc 1983 and the 1,4,5,6,14, amendments of the U.S. Constitution, Article 1 Of the Constitution, sec. 9, Constitution of the state of Georgia Preamble Article 1 Bill Of Rights, Section 1 Right of persons, paragraph 15, and to his civil rights under state Law as set out below. This court has subject matter of jurisdiction; under 28-usc1331 (federal question) jurisdiction; under 28usc 1343(civil rights jurisdiction); 28usc2201(a) and 2202(declaratory relief); and 28usc1367(supplemental jurisdiction over state law claims. 18usc 1965(a). This court has personal jurisdiction over all parties. Venue is proper in this District pursuant to 28usc 1391(b). All events set out below occurred within the District of Georgia and all parties are residents of the District of Georgia. In custody in violation of the

Constitution or laws or treaties of the United States 28 usc 2241(c)(3). See 28usc2244 (d)(1)(B). Joinder indispensable party absence from the lawsuit of a person who was indispensable itself deprived the court of the power to adjudicate as between the parties already joined. See Samuel Goldwyn, Inc. v. United Artists Corp. 113 F. 2d. 703,707 (3d Cir. 1940); McArthur v. Rosenbaum Co. of pittsburgh, 180 F.2d. 617, 621 (3d cir 1949); 157 F.2d. 216(5th Cir. 1946). Cert. denied. 329 US. 782.

Standing : Whether a Rico plaintiff has the necessary standing to sue maybe appropriate For resolution under FRCP Rule 12 or 56.

Proximate cause: whether a claimed injury is sufficiently related to the claimed Rico violation May be appropriate for resolution under FRCP Rule 12 or 56. 916 F.2d. 874(3d cir 1990) 877 F.2d. 1333,1334(7th Cir. 1989).

Federal Habeas Relief OCGA 9-14-1(c).

Glenn v. Roundtree, 410 US. 484,489-92 (1973). The exhaustion doctrine of 2241(c)(3) was Judicially crafted on federalism grounds to protect the)OCGA 9-14-1(a). The likelihood that The requested judicial relief will redress the injury. Lujan v. Defender of Wildlife 504 US 555, 560-61 (1992). Such supreme court should not dismiss case honig v. Doe 484 US 305,329 (1988). Private party to recover damages under rico statute.18USC1964(c).

Mootness Doctrine- Flast v. Cohen 392 US 83,94(1968).Whether a legal claim is justiciable Is, in essence, asking whether it is a claim that may be resolve by the court. Nixon v. U.S. 506 U.S. 224,226(1993). See AT&T v. Federal Communication Commission. 349 F. 3d.692.Plaintiff Repeat and reallege each and every allegation of the foregoing paragraphs as if fully set forth herein, and specifically repeat and reallege the allegations under the first Cause of Action Concerning Rico liability.

Cause of Action

1. Writ of Habeas Corpus- The writ of habeas corpus shall not be suspended unless, in case

Of rebellion or invasion, the public safety may require it.

2. Res Judicata- A broad doctrine in civil litigation that requires and includes the barring of Relitigation of settled matter under merger, bar, collateral estoppel, and direct estoppel.

3. Mootness Doctrine- Deprived of practical significance made abstract or purely academic.

4. Title 15, O.C.G.A. 15-6-21. Time for deciding motions, filing and notification; noncompliance As ground for impeachment.

5. Corruption of Blood- The effect of an attainder which bars a person from inheriting, retaining, Or transmitting any estate, rank, or title, (no attainder of treason shall work corruption of blood - U.S. Constitution Art. III.

6. Joinder of Remedies- F.R.C.P. 18, 19(a). Pre-enforcement.

7. Collateral Attack on Subject Matter Jurisdiction: A Critique of the Restatement (second of judgments).

Conclusion

Both Restatements emphasize that subject matter jurisdiction is a prerequisite of a proper or valid judgment. To the extent that a different treatment of subject matter jurisdiction is desirable, Narrow exceptions to the general rule of res judicata can be drawn. Exceptions to the application of res judicata may involve either intrinsic judicial branch policies or extrinsic Policies implicating the powers or policies of other branches of government or the constitution. Intrinsic judicial policies, involving balancing the goals of Finality and Validity, have been resolved largely in favor of Finality where there is adequate opportunity for appellate review. This resolution is generally appropriate for the specific issue of subject matter jurisdiction. Extrinsic policies, exemplified by Kalb and Fidelity, are rare. The general rule is that courts should treat subject matter jurisdiction according to general principles of res judicata; this General rule and the very limited exceptions should be more clearly articulated in the Restatement(second) of judgments

Prayer for Relief

Therefore, Plaintiff, Petitioner demands judgment and relief as follows:

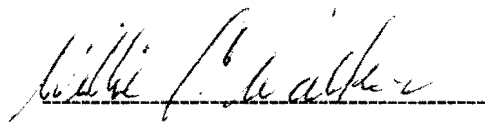
A. A declaration that the defendants, respondents have violated the rights of the plaintiff, Petitioner under the 1,4,5,13, 14, amendments to the U.S. Constitution, Article I section 9, and Article I, section I, paragraph XV of the Constitution of the State of Georgia.

B. A mandatory injunction prohibiting defendants from further violating the same rights Of the plaintiff or similarly person;.

- C. An award of compensatory damages against all defendants;.
- D. An award of punitive damages against all defendants;
- E. An award of treble damages against all defendants;
- F. An award of attorney fees and cost of suit pursuant to 42usc1988 and the Federal Rules of Civil Procedure 54,68,71; and;
- G. Such other relief as the court may deem proper.

I certify that all statements and attachments provided to Rico as part of this complaint
Are true and correct to the best of my knowledge.

WILLIE C. WALKER,pro se
1236 Boat Rock Rd. SW
Atlanta, Georgia 30331
678-613-8112
williew1236@gmail.com


Willie C. Walker,pro,se

Dated 8-16-19

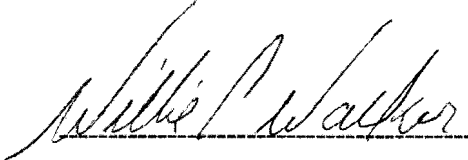
Certificate of Service

I Willie C. Walker, do hereby certify that I have served the ongoing pleadings of the proceeding Being a Rico Complaint, Notice of Filing, Motion For Joinder of Remedies, Brief in Support of Motion for Joinder of Remedies, Affidavit, as Portions of the record as Exhibits in the Superior Court of Fulton County and the U.S. District Court for the Northern District of Georgia, Atlanta Division: Upon the following by U.S. Mail.

1. Solicitor Gen. Office- Fulton County, State of Georgia.
160 Pryor St. Suite J-301
Atlanta, Georgia 30303
2. DBHDD, Georgia Attorney General Office
40 Capital Square, SW
Atlanta, Georgia 30334
3. Attorney General of the United States
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Re: Willie C. Walker pro se
1236 Boat Rock Rd. sw
Atlanta, Georgia 30331
678-613-8112
williew1236@gmail.com

Dated 8-16-19


Willie C. Walker, pro se

IN THE SUPERIOR COURT OF Fulton COUNTY
STATE OF GEORGIA

Willie C. Walker
Petitioner, *Pro se*

v.

Paul L. Howard Jr.
Respondent, District Attorney

Case No: HCD1032

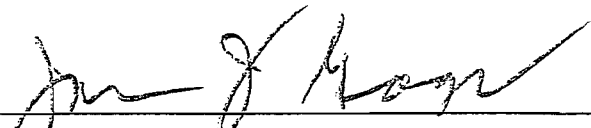
Judge: DUNAWAY

ORDER

Having read and considered Petitioner's Pro Se Motion To Proceed In Forma Pauperis and Affidavit of Indigency, the Court finds Petitioner is indigent and

IT IS HEREBY ORDERED Petitioner be allowed to proceed *in forma pauperis* in the above-referenced case.

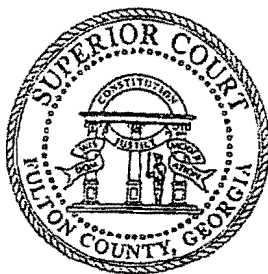
SO ORDERED, this the 23rd day of August, 2018.



JUDGE, SUPERIOR COURT OF Fulton COUNTY

Presented by:

Willie C. Walker
Petitioner, *Pro Se*



IN THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA
136 PRYOR STREET, ROOM C-103, ATLANTA, GEORGIA 30303
SUMMONS

x Willie C. Walker

) Case

) No.:

H201032

Plaintiff,

vs.

x State of Georgia

The Boat Rock C.I.H

Defendant

TO THE ABOVE NAMED DEFENDANT(S):

You are hereby summoned and required to file with the Clerk of said Court and serve upon plaintiff's attorney, whose name and address is:

x Willie C. Walker, Prose
1236 Boat Rock Rd. S.W.
Atl. Ga. 30331

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this complaint is not filed within five (5) days of such service. Then time to answer shall not commence until such proof of service has been filed. IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

This 23rd day of August, 20 18

Honorable Cathelene "Tina" Robinson
Clerk of Superior Court

By

Deputy Clerk

To defendant upon whom this petition is served:

This copy of complaint and summons was served upon you _____, 20____

Deputy Sheriff

MEMORANDUM

To: Judge Downs
From: Allison Candler
Date: July 19, 2018
Re: Prisoner/Pro Se Filings
RECOMMENDATIONS

Case: Willie Walker v. State of Georgia, Boat House Inc. CIH

Summary of Issue(s): Whether Petitioner may file a Habeas action against the Respondent.

Applicable Law:

Habeas Corpus

In a petition for habeas corpus, venue is proper in the Superior Court of the County where the Petitioner is housed. O.C.G.A. § 9-14-43; Smith v. Garner, 236 Ga. 81, 222 S.E.2d 351 (1976).

Under O.C.G.A. § 9-14-42(c), habeas actions in the case of a felony must be brought within four years from: the judgment of conviction becoming final by the conclusion of direct review or the expiration of the time for seeking such review; the date on which an impediment to filing a petition which was created by state action in violation of the Constitution; the date on which the right asserted was initially recognized by the Supreme Court of the United States or the Supreme Court of Georgia; or the date on which the facts supporting the claims presented could have been discovered through the exercise of due diligence.

Analysis

Here, Petitioner has filed a Writ of Habeas Corpus alleging violations of his First, Eighth, and Fourteenth Amendment rights during the pretrial and plea process. This is a bit of an unusual case in that Petitioner is currently being held at Boat House Inc., a "community Integrated Home," where he was involuntarily committed by Order of Judge Campbell entered on November 7, 2017 (attached to Petition). The language of the Habeas statute states that "[a]ny person restrained of his liberty as a result of a sentence imposed by any state court of record may seek a writ of habeas corpus to inquire into the legality of the restraint" may sue out a Writ of Habeas Corpus. O.C.G.A. § 9-14-1(c). Since Petitioner is involuntarily committed, this would apply here. Thus, the filing of the Petition should be granted.

Recommendation: GRANT the filing of the Petition to file Writ of Habeas Corpus.

Attached: Order GRANTING the filing of the Petition to file a Writ of Habeas Corpus

EJ14






4-613-4378

CASE SUMMARY**CASE NO. HC01031****WILLIE WALKER VS. STATE OF GEORGIA, THE
BOAT ROCK C.I.H.**§
§
§
§Location: **EJ14**
Judicial Officer: **MARKLE, TODD**
Filed on: **08/02/2018****CASE INFORMATION**Statistical Closures
10/17/2018 DismissedCase Type: **HABEAS CORPUS INMATE**Case
Status: **10/17/2018 Closed****PARTY INFORMATION****PLAINTIFF WALKER, WILLIE****Pro Se****DEFENDANT STAT OF GEORGIA, BOAT HOUSE INC. CIH**

Removed: 08/02/2018

ENTERED IN ERROR

STATE OF GEORGIA, THE BOAT ROCK C.I.H.

DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/18/2018	DISMISSAL (Judicial Officer: MARKLE, TODD)	
10/17/2018	 DISMISSAL ORDER <i>ORDER DISMISSING CASE</i>	
09/25/2018	 ORDER <i>TO DISMISS IF PETITIONER HAS NOT SERVED DEFENDANTS ON OR BEFORE 10/15/18</i>	
08/02/2018	 ORDER GRANTING FORMA PAUPERIS	
08/02/2018	 AFFIDAVIT OF POVERTY <i>REQUEST TO PROCEED IN FORMA PAUPERIS</i>	
08/02/2018	 PLAINTIFF'S ORIGINAL PETITION <i>APPLICATION FOR WRIT OF HABEAS CORPUS</i>	

DATE**FINANCIAL INFORMATION****PLAINTIFF WALKER, WILLIE**

Total Charges

265.00

Total Payments and Credits

0.00

Balance Due as of 12/18/2018**265.00**








EJ7

CASE SUMMARY**CASE No. HC01032**

4-612-2812

WILLIE WALKER VS. STATE OF GEORGIA, THE
BOAT ROCK C.I.H., PAUL HOWARD, Jr.§
§
§
§Location: EJ7
Judicial Officer: DUNAWAY, ERIC
Filed on: 08/23/2018**CASE INFORMATION**Case Type: **HABEAS CORPUS INMATE**Case Status: **08/23/2018 Open****PARTY INFORMATION***Lead Attorneys***PLAINTIFF WALKER, WILLIE C.****Pro Se****DEFENDANT HOWARD, PAUL L., Jr.****STATE OF GEORGIA****THE BOAT ROCK C.I.H.****CARR, CHRISTOPHER M.***Retained*

404-656-3300(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
12/04/2018	 SHERIFF'S ENTRY OF SERVICE CORPORATION SERVICE OF THE BOAT ROCK CIH	
10/30/2018	 MOTION TO DISMISS "APPLICATION FOR WRIT OF HABEAS CORPUS"	
10/26/2018	 SHERIFF'S ENTRY OF SERVICE CORPORATION SERVICE OF DISTRICT ATTORNEY OFFICE	
10/22/2018	 RESPONSE IN OPPOSITION TO APPLICATION FOR HABEAS CORPUS - GA DBHDD	
08/23/2018	 AFFIDAVIT OF POVERTY REQUEST TO PROCEED IN FORMA PAUPERIS	
08/23/2018	 ORDER GRANTING FORMA PAUPERIS APPLICATION FOR WRIT OF HABEAS CORPUS	
08/23/2018	 PLAINTIFF'S ORIGINAL PETITION APPLICATION FOR WRIT OF HABEAS CORPUS	

DATE	FINANCIAL INFORMATION
	PLAINTIFF WALKER, WILLIE C.
	Total Charges 265.00
	Total Payments and Credits 265.00
	Balance Due as of 12/18/2018 0.00

IN THE SUPERIOR COURT OF Fulton County
STATE OF GEORGIA

Willie C. Walker
Petitioner
1027879
Inmate Number

Civil Action No. HC01032

State of Georgia vs.
Warden
The Boat Rock C.I. H.
Respondent
(Name of Institution where you are now located)

Habeas Corpus

APPLICATION FOR WRIT OF HABEAS CORPUS

PART I: BACKGROUND INFORMATION ON YOUR CONVICTION

1. Name, county, and court which entered the judgment of conviction under attack:

Superior Court of Fulton County

2. Date of conviction: N/A

(Please Note: O.G.C.A. § 9-14-42(c) mandates that applications for writ of habeas corpus must be filed within a certain time. Please see Instructions (7) for more information.)

3. Length of sentence(s): N/A

4. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? ☐ Yes ☒ No

5. Name of offense(s). List all counts: Obstruction, Child Molestation
case no. 105C93691 - 115C99124

6. What was your plea? Please check one:

- ☐ Guilty
☐ Guilty but mentally ill
☒ Nolo contendere
☐ Not guilty

If you entered a guilty plea to one count or indictment, and a not guilty or nolo contendere plea to another count or indictment, give details: Atty. of Record - Pleaded - Mental

Incompetency in both cases.

7. Kind of trial. Please check one:

- ☐ Jury
☒ Judge only

8. Did you testify at the trial? ☐ Yes ☒ No

9. Did you appeal from the conviction? ☐ Yes ☒ No

10. If you did appeal, answer the following:

Name of appellate court to which you appealed: N/A

Result of appeal: N/A

Date of result: N/A

11. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this conviction in any state or federal court?

☒ Yes ☐ No

12. If your answer to 11 was "Yes," give the following information: (Note: If more than three petitions, please use a separate sheet of paper and use the same format to list them.)

A. Name of court and case number: U.S. District Court Northern Dist. of Ga.

What kind of case or action was this? Habeas Corpus - 1:11-CV-174-CAP

All grounds raised (attach extra sheet of paper if necessary): Speedy Trial and double jeopardy.

Did a judge hear the case? ☐ Yes ☒ No Did witnesses testify? ☐ Yes ☒ No

Name of Judge: Charles A. Pannell Jr.

Result: Habeas Corpus be, and the same hereby is and dismissed

Date of Result: May 13th, 2011.

B. As to any second petition, application or motion, give the same information. # 13CV46792

Name of court and case number: Baldwin County Superior Court

What kind of case or action was this? Habeas Corpus

All grounds raised (attach extra sheet of paper if necessary): Collateral Estoppel, double jeopardy.

Did a judge hear the case? ☒ Yes ☐ No Did witnesses testify? ☐ Yes ☒ No

Name of Judge: Trenton Brown - (verify)

Result: Dismissed in its entirety

Date of Result: January 8, 2014

C. As to any third petition, application or motion, give the same information. # 514A1337

Name of court and case number: Supreme Court of Georgia

What kind of case or action was this? direct appeal

All grounds raised (attach extra sheet of paper if necessary): Due Process Doctrine, Equal Protection - constitutional Case.

Did a judge hear the case? ☐ Yes ☒ No Did witnesses testify? ☐ Yes ☒ No

Name of Judge: All Justices concur

Result: Dismissed

Date of Result: June 16, 2014

- D. Did you appeal to the Georgia Supreme Court or the Georgia Court of Appeals from the result taken on any petition, application, or motion listed above?

First petition, application or motion: ☐ Yes ☒ No

Second petition, application or motion: ☒ Yes ☐ No

Third petition, application or motion: ☒ Yes ☐ No

- E. If you did not appeal from the denial of relief on any petition, application or motion, explain briefly why you did not: N/A

- F. If you appealed to the highest state court having jurisdiction, did you file a petition for certiorari in the United States Supreme Court to review the denial of your petition by the Georgia Supreme Court or the Georgia Court of Appeals? ☐ Yes ☒ No

13. Do you have any petition or appeal now pending in any court, either state or federal, as to the conviction under attack? ☒ Yes ☐ No

14. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

At preliminary hearing: Samad Mubeen, 160 Trinity Ave.
Atl. Ga. 30303

At arraignment and plea: (Same)

At trial: Competency Hearing

At sentencing: Civil commitment Order

On appeal: N/A

In any post-conviction proceeding: N/A

On appeal from any adverse ruling in a post-conviction proceeding:

(Pro se petitioner)
Petitioner

15. Do you have any other sentence, either state or federal, to serve after you complete the sentence imposed by the conviction under attack? ☐ Yes ☒ No

If so, give the name and location of the court(s) which impose any other sentence:

N/A

State the date and length of any other sentence to be served:

N/A

Have you filed, or do you contemplate filing, any petition attacking the judgment(s) which imposed any other sentence? ☐ Yes ☒ No

PART II: STATEMENT OF YOUR CLAIMS

State concisely every ground on which you now claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting the same.

1.

GROUND ONE: Denial of effective assistance of Counsel.

SUPPORTING FACTS. (Tell your story *briefly* without citing cases or law):

Counsel of record fell to inform defendant of a competency hearing by the court. Equitable relief, Collateral Estoppel, perpetuity. Identity of the issues.

2.

GROUND TWO: Fair Hearing

SUPPORTING FACTS. (Tell your story *briefly* without citing cases or law):

The opportunity to cross-examine adverse witnesses, and the right to a jury.

3.

GROUND THREE: Extrinsic fraud, intrinsic fraud.

SUPPORTING FACTS. (Tell your story *briefly* without citing cases or law):

Fraud that is not involved in the actual issues presented to a court and that prevents a full and fair hearing.

4.

GROUND FOUR: Mootness doctrine

SUPPORTING FACTS. (Tell your story *briefly* without citing cases or law):

Final Judgment and Order, competent Evidence
was mooted by the transfer of defendant from
Fulton County Jail to Central State Hospital.
Inquisition, in rem judgment.

PART III: OTHER CLAIMS NOT PRESENTED TO A COURT BEFORE THIS

If any of the grounds listed in PART II were not previously presented in any other court, state or federal, state *briefly* what grounds were not so presented, and give your reasons for not presenting them:

Competent Evidence, extrinsic and intrinsic fraud, because of the duration of the constitutional case and that the Order modifying civil commitment dated 11-7-17 related back to the indictment in the criminal charges in the case. 4, 5, 14th amendments.

Wherefore, petitioner prays that the Court grant relief to which the petitioner may be entitled in this proceeding.

Willie C. Walker 6-19-18
1236 Boat Rock Rd. SW Date
Atlanta, Georgia 30331
 Signature and Address of Petitioner's
 Attorney (if any attorney)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing statements made in this Application for Writ of Habeas Corpus are true and correct.

Executed on 6-19-18
 Date

Willie C. Walker
 Signature of Petitioner

Sworn to and subscribed before me this
13 day of June, 2018.

[Signature]
 Notary Public or Other Person Authorized to Administer Oaths

MY COMMISSION EXPIRES
 OCTOBER 17, 2021

Please note that under O.C.G.A. §9-14-45 service of a petition of habeas corpus shall be made upon the person having custody of the petitioner. If you are being detained under the custody of the Georgia Department of Corrections, an additional copy of the petition must be served on the Attorney General of Georgia. If you are being detained under the custody of some authority other than the Georgia Department of Corrections, an additional copy of the petition must be served upon the district attorney of the county in which the petition is filed. Service upon the Attorney General or the district attorney may be had by mailing a copy of the petition and a proper certificate of service.

IN THE SUPERIOR COURT OF Fulton County
STATE OF GEORGIA

Willie C. Walker
Plaintiff
1027879
Inmate Number

Civil Action No. HCO1032

State of Georgia vs.
The Boat Rock C.I.H.
State of Georgia
Defendant(s)

Nature of Action: Habeas Corpus

REQUEST TO PROCEED IN FORMA PAUPERIS

I, Willie C. Walker, depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, costs, or give security therefore, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore; that I believe I am entitled to redress.

I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: Willie C. Walker

2. Are you presently employed? ☐ Yes ☒ No

If the answer is "Yes," state the amount of your salary or wages per month, and give the name and address of your employer: N/A (Dover Staffing)
Vinson Hwy Milledgeville Ga.

If the answer is "No," state the date of last employment and the amount of the salary and wages per month which you received: November, 2017, \$7.25
per hour

3. Have you received within the past twelve months any money from any of the following sources?

Business, profession, or form of self-employment? ☐ Yes ☒ No

Pensions, annuities, or life insurance payments? ☐ Yes ☒ No

Rent payments, interest or dividends? ☐ Yes ☒ No

Gifts or inheritances?

☐ Yes☒ No

Any other sources?

☒ Yes☐ No

If the answer to any of the above is "Yes," describe each source of money and state the amount received from each source during the past twelve months: Social Security -

Disability check;

4. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts): ☒ Yes ☐ No

If the answer is "Yes," state the total value of the items owned: \$2,300.00

5. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

If the answer is "Yes," describe the property and state its approximate value: N/A

Warranty Deed - Resendant Doctrine Superior

6. List the persons who are dependant upon you for financial support, state your relationship to those persons, and indicate how you contribute toward their support: N/A

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

- a. A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question.
- b. A person convicted of the offense of perjury shall be punished by a fine of not more than \$1,000 or by imprisonment for not less than one nor more than ten years, or both. O.G.C.A. § 16-10-70.

Willis P. Walker
Signature of Plaintiff

6-19-18
Date

VERIFICATION

I, Willie C. Walker, do swear and affirm under penalty of law that the statements contained in this affidavit are true. I further attest that this application for in forma pauperis status is not presented to harass or to cause unnecessary delay or needless increase in the costs of litigation.

I am the plaintiff in this action and know the content of the above Request to Proceed in Forma Pauperis. I verify that the answers I have given are true of my own knowledge, except as to those matters that are stated in it on my information and belief, and as to those matters I believe them to be true. I have read the perjury statute set out above and am aware of the penalties for giving any false information on this form.

Willie C. Walker
Signature of Affiant Plaintiff

8-19-19
Date

Sworn to and subscribed before me this
17 day of August, 20 19

[Signature]
Notary Public or Other Person Authorized to Administer Oaths

MY COMMISSION EXPIRES
OCTOBER 17, 2021

Please note that under O.G.C.A. § 42-12-5 service of an affidavit in forma pauperis, including all attachments, shall be made upon the court and all named defendants. Failure by the prisoner to comply with this code section shall result in dismissal without prejudice of the prisoner's action.

THIS FORM IS TO BE COMPLETED ONLY BY AN AUTHORIZED INDIVIDUAL AT THE INSTITUTION WHERE THE INMATE PLAINTIFF IS PRESENTLY INCARCERATED, OR HIS/HER DESIGNEE.

CERTIFICATION

I hereby certify that the Plaintiff herein, Willie C. Walker,
has an average monthly balance for the last twelve (12) months of \$ _____ on account at
the _____ institution where confined. (If not confined for a full
twelve (12) months, specify the number of months confined. Then compute the average monthly balance
on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said
institution: _____

Authorized Officer of Institution




6-19-18
Date

NOTE: Please attach a copy of the prisoner's inmate account of the last 12 months, or the period of incarceration (whichever is less).

* You may call me with questions as this is not an institution.

Damekia Carson, LFC

**Community Home Fee Statement
for State-operated Adult MH and MH/AD Homes**

<u>Line</u>	1 Resident's Name <u>Willie Walker</u>	Name of Home <u>Boat Rock St C.I.H.</u>	
	2 Date Completed <u>February 26, 2018</u>	Operated by (hospital) <u>GRH/A</u>	
	3 Maximum Monthly Room & Board rate:	\$ 780	
	4 Sources of income and amounts:		
	a Social Security	\$ 750	
	b SSI		
	c VA		
	d Other Pension/Retirement		
	e Employment Pay	\$ -	
	f Other		
	5 Total amount of individual's monthly income	\$ 750	
	6 Monthly Deductions (round up to nearest \$)		
	a Personal Spending	\$ 91	
	b Savings Allowance*	\$ 150	
	c Transportation	\$ -	
	d Medical/Other Therapeutic	\$ 134	
	e Educational/Vocational**	\$ -	
	f TOTAL	\$ 375	
	7 Income - Allowable Deductions	\$ 375	
	8 Final R&B Rate	\$ 375	
	9 Residual Funds	\$ -	
	10 WOS Co-Pay %***	25.0%	
	11 WOS Co-Pay	\$ -	
	12 R&B + WOS Co-Pay Total	\$ 375	
	13 Effective from Month/Year:	<u>Feb-18</u>	(For rate increases, third full month after notice is given)
	14 Staff Signature	<u></u>	
	15 Supervisor's Signature	<u></u>	
	16 Resident/Guardian Signature:	<u></u>	

*Complete and attach Savings Allowance Worksheet.

**Maximum \$600 annually.

***See Sliding Fee Scale for WOS

When completed, send a copy to your FACILITY BILLING OFFICE and fax a copy to DMHDDAD Office of Forensic Services at 404-657-2256. Call Office of Forensics at 404-657-2270 for technical assistance with this form.

Community Home Fee Statement
for State-operated Adult MH and MH/AD Homes
Savings Allowance Worksheet

Line

1 Resident's Name Willie Walker Name of Home Boat Rock St C.I.H.

2 Date Completed 2/26/2018 Operated by (hospital) GRH/A

3 Describe the rationale for a savings allowance over the allowed minimum:

4 Savings Goal: Cash resources needed to move to a less restrictive alternative (max = \$1,800) \$ 1,800

5 Current Savings: Funds resident currently has in savings \$ -

6 Amount resident can save via Savings Allowance during residence at Community Home \$ 1,800

7 Estimated number of months until individual will be able to move to a less restrictive alternative 12

8 Monthly savings allowance (enter on line 6b of Community Home Fee Statement) \$ 150

9 Effective Month/Year: 2/1/2018

10 Staff Signature: 

11 Supervisor's Signature 

12 Resident/Guardian Signature: 

****When completed, send a copy to your FACILITY BILLING OFFICE and fax a copy to DMHDDAD Office of**



Georgia Department of Behavioral Health &
Developmental Disabilities

Willie Walker

Avatar # 157109

Admission Date: 11/09/2017

B/M 04/08/1952

CIH OF GRH/ Atlanta

Date of Birth AND/OR Social Security Number

AUTHORIZATION FOR RELEASE OF INFORMATION - STANDARD REQUEST

I hereby authorize the disclosure of records/information

From: Roanoke Community Integration
(Name of health care provider holding the information - releasing agency)

To: Fulton County Superior Court
(Name of Person or Agency to whom information should be given - requesting agency)

(Address)

(Phone/Fax)

Initials

I authorize the following information from my records (and any specific portion thereof): Living facility, progress and any other information the Court request to verify Mr. Walker living arrangement.

Initials

I authorize the disclosure of alcohol or drug abuse information, if any. (Please see paragraph 2 below). If I am a minor, my parent/guardian/court-ordered custodian and I BOTH must initial here in order for this information to be released.

Initials

Initials

I authorize the disclosure of information, if any, concerning testing for HIV (human immunodeficiency virus) and/or treatment for HIV or AIDS (acquired immune deficiency syndrome) and any related conditions.

The above disclosure of information is for the purpose of: _____

1. I understand that the information disclosed pursuant to this Authorization may be subject to re-disclosure by the recipient and no longer protected by federal privacy regulations or other applicable state or federal laws (except as set forth in paragraph 2 below).
2. I understand that, pursuant to 42 C.F.R. Part 2, alcohol and drug abuse records that I authorize to be disclosed pursuant to this document may not be further re-disclosed without my written consent, except by a court order that complies with the preconditions set forth at 42 C.F.R. 2.61 et seq., or the other limited circumstances specifically permitted by 42 C.F.R. Part 2. Any individual that makes such a disclosure in violation of these provisions may be reported to the United States Attorney and be subject to criminal penalties.
3. I understand that the Department or my healthcare provider will not condition my treatment, payment, or eligibility for any applicable benefits on whether I provide authorization for the requested release of information.
4. I intend this document to be a valid authorization conforming to all requirements of the Privacy Rule and State law, and understand that my authorization will remain in effect for: (PLEASE CHECK ONE)

☒ one (1) year OR ☐ the period necessary to complete all transactions on matters related to services provided to me.

I understand that unless otherwise limited by state or federal regulation, and except to the extent that action has been taken based upon it, I may revoke this authorization at any time as shown in the space below.

Willie C. Walker
Signature of Individual/Consumer/Patient/Applicant

Willie C. Walker
Print Name

6-20-18
Date

OR Signature of other person authorized to sign for Individual (check one):

Print Name

Date

☐ Parent ☐ Guardian ☐ Court-appointed Custodian of Minor

☐ Agent designated by Individual's advance directive

USE THIS SPACE ONLY IF AUTHORIZATION IS WITHDRAWN

I hereby revoke this authorization, and will send written notice of my withdrawal of this authorization to the staff of the healthcare provider who is providing services to me, OR to the Department's Privacy Officer at 2 Peachtree St. NW, Suite 22.240 Atlanta, GA 30303-142.

Date this authorization is revoked

DBHDD Policy: 23-110 Attachment A

Signature of Individual or Legally Authorized Representative

Version 3/31/2015

Certificate of Service

I, Willie C. Walker, do hereby certify that I have served the ongoing pleadings of the proceeding being a Writ of Habeas Corpus upon the following: By E File GA.Com. U.S. Mail.

1. The Boat Rock C.I. H.
1236 Boat Rock Rd. S.W.
Atlanta, Georgia 30331
2. District Atty. Gen. Office
136 Pryor St. S.W.
Third Floor, Atlanta, Georgia 30303

Dated: 6-19-18

re: Willie C. Walker
1236 Boat Rock Rd. S.W.
Atlanta, Georgia 30331
Residents Ph: 470-305-7139
Staff Phone: 404-586-9260
E mail - WillieW1236@aol.com

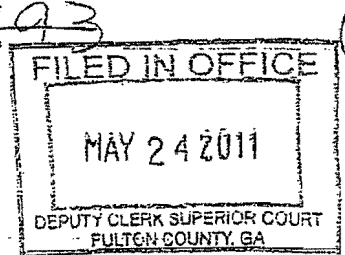
Willie Walker
petitioner, pro, se

Original no envelope

(Please Mark as) Exhibit-A

In The Superior Court of Fulton County
State of Georgia

Willie C. Walker { Case No. 10SC93691
v.s. { Case No. 11SC99124
State of Georgia { ~~Case No. 10SC93~~



(2F)

Notice of Filing

Please take notice that in the above-entitled case matter of charges has been fully adjudicated in the U.S. District Court for the Northern District of Georgia. The final Order and Judgment of the dismissal is herewith attached.

re: Willie C. Walker
4-N-103 #1027879
901 Rice St
Atl. Ga. 30318

Respectfully Submitted

Willie C. Walker
petitioner,

To the Clerk office:
Send Copies, Judge, Gager;
district Atty. office.
Return file copy.

May 18, 2011.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIE C. WALKER;
Petitioner,
v.
STATE OF GEORGIA,
Respondent.

CIVIL ACTION
NO. 1:11-CV-174-CAP

O R D E R

After carefully considering the report and recommendation ("R&R") of the magistrate judge [Doc. No. 12], the entire record as a whole, there being no objections by the petitioner, the court receives the R&R with approval and ADOPTS the it as the opinion and order of this court.

SO ORDERED, this 13th day of May, 2011.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIE C. WALKER,

Petitioner,

vs.

STATE OF GEORGIA,

Respondent.

CIVIL ACTION FILE

NO. 1:11-cv-174-CAP

J U D G M E N T

This petition for a writ of habeas corpus having come before the court, Honorable Charles A. Pannell, Jr., United States District Judge, for consideration, and the petition having been considered and the court having rendered its opinion, it is

Ordered and Adjudged that the petition for a writ of habeas corpus be, and the same hereby is and dismissed.

Dated at Atlanta, Georgia, this 13th day of May, 2011.

JAMES N. HATTEN
CLERK OF COURT

By: s/Andrea Gee
Deputy Clerk

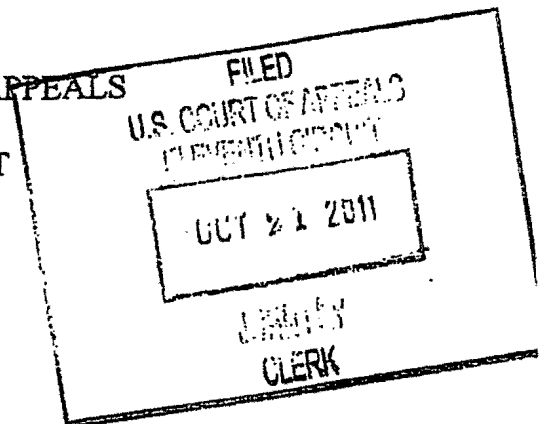
Prepared, Filed and Entered
in the Clerk's Office
May 13, 2011
James N. Hatten
Clerk of Court

By: s/Andrea Gee
Deputy Clerk

Exhibit-(F)

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 11-13818-I



WILLIE C. WALKER,

Petitioner-Appellant,

versus

STATE OF GEORGIA,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia

Before CARNES, WILSON, and PRYOR, Circuit Judges.

BY THE COURT:

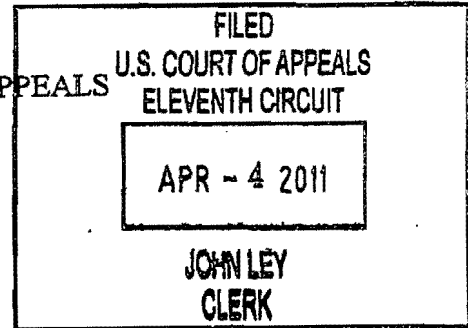
This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Appellant's notice of appeal filed on August 9, 2011, is untimely as to the district court's May 13, 2011, final order and judgment. See Fed.R.App.P. 4(a)(1); Rinaldo v. Corbett, 256 F.3d 1276, 1278 (11th Cir. 2001). Moreover, the district court lacks the authority to reopen the appeal period because Walker's notice of appeal only asked for an extension of time to appeal, and was filed more than 30 days after the appeal period expired, so was untimely to extend it, and in any event the district court denied the motion. Fed.R.App.P. 4(a)(5). Finally, he never alleged that he did not receive notice of judgment, so this Court cannot otherwise construe the filing as a request to reopen the appeal period. Fed.R.App.P. 4(a)(6).

Appendix" A

Exhibit-(A)

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 11-10977-A



WILLIE C. WALKER,

Petitioner – Appellant,

versus

STATE OF GEORGIA,

Respondent – Appellee.

Appeal from the United States District Court
for the Northern District of Georgia

Before EDMONDSON, WILSON, and PRYOR, Circuit Judges.

BY THE COURT:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. The magistrate judge's January 26, 2011, order is not a final, appealable decision. See 28 U.S.C. § 636(b); *Donovan v. Sarasota Concrete Co.*, 693 F.2d 1061, 1066-67 (11th Cir. 1982); *United States v. Cline*, 566 F.2d 1220 (5th Cir. 1978).

No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir.R. 27-2 and all other applicable rules.

IN THE SUPERIOR COURT OF BALDWIN COUNTY
STATE OF GEORGIA

WILLIE C. WALKER,

Petitioner,

v.

DAN HOWELL, Central State
Hospital,

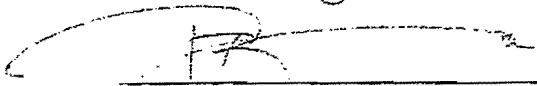
Respondent.

CIVIL ACTION FILE NO.
13CV46792

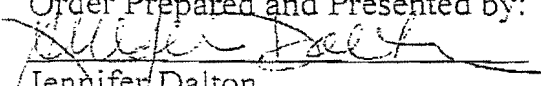
ORDER

Having considered the above referenced matter and reviewed all pleadings filed in this case, it is hereby ordered and adjudged that the Motion to Dismiss filed by Respondent is **GRANTED** and Applicant's Application for Writ of Habeas Corpus is hereby dismissed in its entirety.

So **ORDERED** this 6th day of January, 2019.


Preston Brown
Judge, Superior Court of Baldwin County

Order Prepared and Presented by:


Jennifer Dalton

Senior Assistant Attorney General

Department of Law

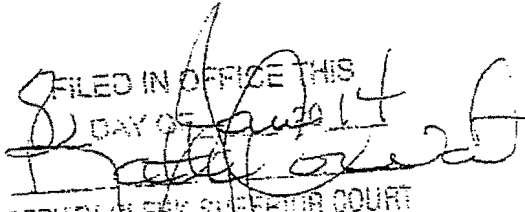
40 Capitol Square

Atlanta, Georgia 30334

404-656-0942

jdalton@law.ga.gov

cc: p4
dalton
ago

FILED IN OFFICE THIS
12 DAY OF January 2019

DEPUTY CLERK SUPERIOR COURT
BALDWIN COUNTY, GEORGIA

Copy

Exhibit ~~XXXXXXXXXX~~ (L)



SUPREME COURT OF GEORGIA

Case No. S14A1337

Atlanta June 16, 2014

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

WILLIE C. WALKER v. DAN HOWELL

From the Superior Court of Baldwin County.

Appellant seeks to appeal the dismissal of a pre-trial habeas petition. Because he was required to file an application for discretionary appeal, however, this direct appeal hereby is dismissed. Brown v. Crawford, 289 Ga. 722 (715 SE2d 132) (2011).

All the Justices concur.

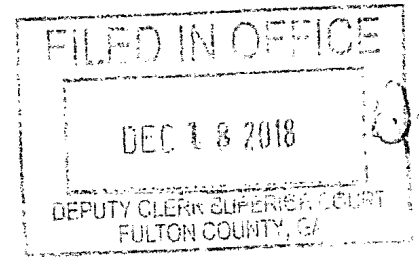
SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the
Minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

Lu C. Fulton, Chief Deputy Clerk

In The Superior Court of Fulton County
State of Georgia



Willie C. Walker

Case No: 10SC93691

Petitioner,

11SC99124

V.

Civil Action No. H C 01032

State of Georgia,

The Boat Rock C.I.H.

No. HC 01032

Respondents.

Notice of Filing

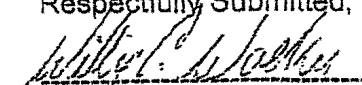
O.C.G.A. 15-6-21

Please take notice that in the above- style case matter, the petitioner herewith Files his motion to Vacate and Set Aside the Order Dismissing Case of a Writ of Habeas Corpus served upon the respondents for failure to perfect service of process.

Service copies of the Fulton Sheriff Department is herewith Attached.

Dated: 11-5-2018

Respectfully Submitted;


Willie C. Walker, Pro se

In The Superior Court of Fulton County
State Of Georgia

Willie C. Walker
Petitioner,

V.

State of Georgia,
Boat Rock C.I.H
Respondent.

Civil Action File No.

H C 01031

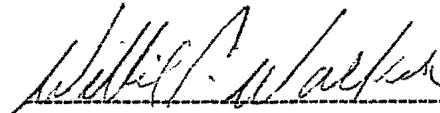
Motion- Vacate and Set Aside Order of Dismissal

Come Now, Willie C. Walker petitioner in the above reference case and move this court To vacate and set aside this court order dated October 17, 2018; dismissing the case for failure to perfect service and process upon the respondents. O.C.G.A. 9-11-60 (d),(h) permits the court to relieve a party from an adverse order or judgment on various grounds, including fraud, mistake, inadvertence,surprise or excusable neglect or because the court has assumed Jurisdiction of the law practice of the parties pro se.

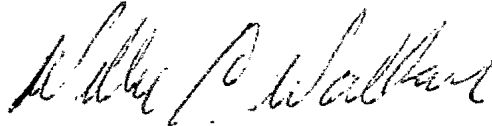
Dated: 11-5-2018

Presented By:
Willie C. Walker, Pro se
1236 Boat Rock Rd. S.W.
Atlanta, Georgia 30331

Respectfully Submitted,

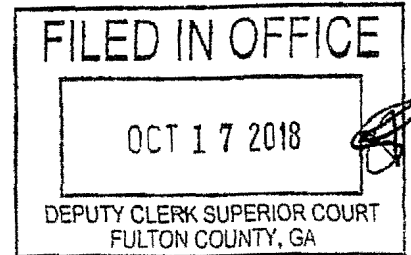


Willie C. Walker,pro se



MA

IN THE SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT
STATE OF GEORGIA



WILLIE WALKER,

Petitioner,

v.

STATE OF GEORGIA, THE BOAT
ROCK C.I.H.,

Respondent.

CIVIL ACTION FILE
NO. HC01031

JUDGE MARKLE

ORDER DISMISSING CASE

The above-styled action was filed on August 2, 2018. To date, this action has yet to be served. Petitioner is hereby notified that the Court will dismiss this Petition if it is not served on or before October 15, 2018.

So Ordered, this 17 day of October, 2018.

Honorable TODD MARKLE, Judge
Superior Court of Fulton County

cc:

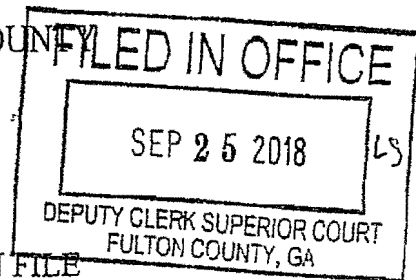
Served via eFileGA

Additional Service

Willie Walker
GDC # 1027879
1236 Boat Rock Road, SW
Atlanta, GA 30331

MA

IN THE SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT
STATE OF GEORGIA



WILLIE WALKER,

Petitioner,

v.

STATE OF GEORGIA, THE BOAT
ROCK C.I.H.,

Respondent.

CIVIL ACTION FILE
NO. HC01031

JUDGE MARKLE

ORDER

The above-styled action was filed on August 2, 2018. To date, this action has yet to be served. Petitioner is hereby notified that the Court will dismiss this Petition if it is not served on or before October 15, 2018.

So Ordered, this 25 day of September, 2018.

A handwritten signature in black ink, appearing to be "T. Markle", written over a horizontal line.

Honorable TODD MARKLE, Judge
Superior Court of Fulton County

cc:

Served via eFileGA

Additional Service

Willie Walker
GDC # 1027879
1236 Boat Rock Road, SW
Atlanta, GA 30331

SHERIFF'S ENTRY OF SERVICE

Civil Action No. 11001024Date Filed 1/20/19Attorney's Address
11001024Name and Address of Party to be Served
The Boardman Group
11001024
11001024

SUPERIOR COURT

GEORGIA, FULTON COUNTY

Plaintiff

VS.

Defendant

SHERIFF'S ENTRY OF SERVICE

I have this day served the defendant _____ personally with a copy of the within action and summons.

I have this day served the defendant _____ by leaving a copy of the action and summons at this most place notorious place of abode in this county.

Delivered same into hands of _____ described as follows age, about _____ years; weight, about _____ pounds; height about _____ feet and _____ inches, domiciled at the residence of the defendant.

Served the defendant _____ a corporation by leaving a copy of the with in action and summons with _____ in charge of the office and place of doing business of said Corporation in this County.

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon continuing notice to the defendant(s) to answer said summons at the place stated in the summons.

Diligent search made and defendant _____ not to be found in the jurisdiction of this court.

This 11 day of August 2019

DEPUTY

SHERIFF DOCKET _____ PAGE _____

WHITE - CLERK; CANARY - PLAINTIFF; PINK - DEFENDANT

PERSONAL

NOTORIOUS

CORPORATION

TACK & MAIL

NON EST

SHERIFF'S ENTRY OF SERVICE

Civil Action No. 19-01032Date Filed 8/26/19Attorney's Address
1000 Peachtree Street, N.E.
Atlanta, GA 30309Name and Address of Party to be Served
Deborah A. Smith
1000 Peachtree Street, N.E.
Atlanta, GA 30309

SUPERIOR COURT

GEORGIA, FULTON COUNTY

State of Georgia

Plaintiff

VS.

State of GeorgiaDeborah A. Smith

Defendant

SHERIFF'S ENTRY OF SERVICE

I have this day served the defendant _____ personally with a copy of the within action and summons.

I have this day served the defendant _____ by leaving a copy of the action and summons at this most place notorious place of abode in this county.

Delivered same into hands of _____ described as follows age, about _____ years; weight, about _____ pounds; height about _____ feet and _____ inches, domiciled at the residence of the defendant.

Served the defendant _____ a corporation by leaving a copy of the with in action and summons with _____ in charge of the office and place of doing business of said Corporation in this County.

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon continuing notice to the defendant(s) to answer said summons at the place stated in the summons.

Diligent search made and defendant _____ not to be found in the jurisdiction of this court.

This _____ day of _____ 2019

DEPUTY

SHERIFF DOCKET _____ PAGE _____

WHITE - CLERK; CANARY - PLAINTIFF; PINK - DEFENDANT

PERSONAL

NOTORIOUS

CORPORATION

TACK & MAIL

NON EST

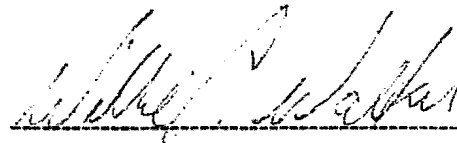
Certificate of Service

I, Willie C. Walker, do hereby certify that I have served the ongoing pleadings of the proceedings being a Notice of Filing, Motion to Vacate and Set Aside Order dismissing Case, Copies of the Sheriff service forms upon the following: by U.S. Mail.

1. The Boat Rock C.I.H.
1236 Boat Rock Rd. S.W.
Atlanta, Georgia 30331
2. District Attorney Office
Kevin Armstrong, Asst. Dist. Atty.
Office of the Fulton County District Attorney
136 Pryor St. S.W. Third Floor
Atlanta, Georgia 30303

Dated: 12-18-2018

Re: Willie C. Walker, Pro se
1236 Boat Rock Rd. S.W.
Atlanta, Georgia 30331
Cell Ph. 678-613-8112
Residents Ph. 470-305-7139



Petitioner, Willie C. Walker, Pro se

In the Superior Court of Fulton County
State of Georgia

In The Municipal Court of Union City
State of Georgia

Willie C. Walker)

Petitioner,

Vs.)

State Of Georgia,

Union City Police Department,

Antron Evans)

Respondents

Superior Court Case No.

10SC93691, 11SC99124

Civil Action No.H C 01032

Civil Action No.H C 01031

Municipal Court No.2018-213003

Notice of Filing

Please take notice that in the above-style case matter, the petitioner herewith files Motion for Joinder of Remedies, Brief in Support of Motion for Joinder of Remedies, Affidavit and Exhibits Of the Record in the Superior Court of Fulton County, copy of Citation.

Dated 1-11-19

Willie C. Walker, pro se
1236 Boat Rock Rd. SW
Atlanta Georgia 30331
williew1236@gmail.com
678-613-8112
470-305-7139


Willie C. Walker, pro se

The Municipal Court of Union City
State of Georgia

Willie C. Walker
Petitioner,

)

)

VS

)

case no. 2018-213003

State of Georgia,
Union City Police Department,
Antron Evans

)

Respondents.

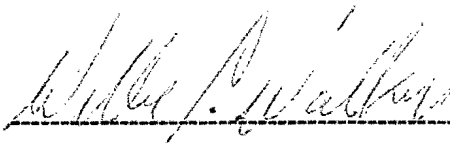
Motion for Joinder of Remedies

The joining of two claims in one action even though one cannot be recognized until the other is resolved: the combination of legal and equitable claims in one action when a fraudulent Conveyance must first be set aside legally before equitable relief can be granted to a creditor.

Petitioner vest Title, Warranty Deed, Respondent Doctrine Superior of the Superior Court of Fulton County, created (1980).

Dated

8-11-19



Petitioner, Willie C. Walker, Pro se

Willie C. Walker, Pro se
1236 Boat Rock Rd. SW
Atlanta Georgia 30331
678-613-8112
williew1236@gmail.com

The Municipal Court of Union City
State of Georgia

Willie C. walker,
Petitioner.

)
)
)

case no.2018-213003

VS

State of Georgia,
Union City Police Department,
Antron Evans
Respondents.

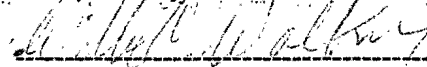
Brief in Support of Motion for
Joinder of Remedies

Petitioner is currently being held at Boat Rock Inc. a " community Integrated Home" where He is involuntary committed by Order of Judge Campbell entered on November 7, 2017.

On the date of 12-16-2018, said co-defendant was charged with the offense of Battery-Code section 16-5-23.1. Said accuse Antron Evans did on said date did commit aggravated Battery-code section 16-5-24 upon said Willie C. Walker by striking him about the left side of His head while in possession of a case knife, causing said defendant a swollen face where he Was struck after being awoken from bed. Joinder of a party to a suit require by the court when The party is indispensable to complete relief for parties already involved or when the party claims an interest that may substantially affect the other parties or may be put at risk by the action.

See permissive joinder. W.M. McGovern Jr. et al. Federal Rules of Civil Procedure- Rule 19 (a). Join issues with the conclusion. Collateral Attack, (RICO)- 18 USC 1961-1968. (1970).

Respectfully Submitted,



Willie C. Walker, Pro se

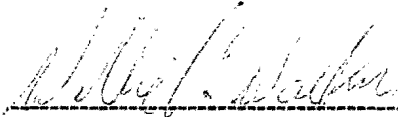
Certificate of Service

I, Willie C. Walker, do hereby certify that I have served the ongoing pleadings of the Proceeding being a Notice of Filing, Motion for Joinder of Remedies, Brief in Support of Motion for Joinder of Remedies, Affidavit, Portions of the Record as Exhibits in the Superior Court of Fulton County. Upon the Following by U.S. Mail.

1. The Boat Rock C.I.H.
1236 Boat Rock Rd. SW
Atlanta, Georgia 30331
2. District Atty. Office
136 Pryor St. SW. Third Floor
Atlanta, Georgia 30303
3. Clerk of the Superior Court of Fulton County
136 Pryor St. Room 106
Atlanta, Georgia 30303
4. The Municipal Court of Union City
5060 Union St.
Union City, Georgia 30291

Dated

1-11-19



Willie C. Walker, pro se

Willie C. Walker
1236 Boat Rock Rd. SW
Atlanta, Georgia 30331
williew1236@gmail.com
678-613-8112

The Municipal Court of Union City
State of Georgia

Willie C. Walker

Case No.2018-213003

Petitioner,

Vs

State of Georgia,

Union City Police Department,

Antron Evans

Respondents

Affidavit

State of Georgia

County of Fulton

The undersigned Willie C. Walker, being duly sworn, hereby deposes and say:

1. I am over the age of 18 and am a resident of the State of Georgia. I have personal Knowledge of the facts herein, and, if called as witness, could testify completely thereto.
2. Petitioner is currently house in the Boat Rock House Inc. a community Intergrated home Which is located in Fulton County. Jurisdiction is therefore proper. O.C.G.A. 9-14-43.
3. On the date of 12-16-18 said co- defendant was charged with offense of Battery code Section O.C.G.A. 16-5-23. 1.
4. Said accused Antron Evans did on said date commit aggravated battery O.C.G.A. 16-5-24 Upon said Willie C. Walker by striking him about the head while in possession of a case Knife causing said co- defendant a swollen face where he was struck after being awoken from bed.
5. That co-defendant Antron Evans and Willie C. Walker were room mates in the Boat Rock home Inc. After being charged with said offenses he was removed from the room and told not To violate his limitations by coming to the bedroom again, but did on 12-27-18 at 5 :30 am co-defendant was awoken by said co-defendant in the bedroom, no incident insued at that time.
6. That the Notice of filing O.C.G.A 15-6-21 of the United States District Court Final Order and Judgment is a appealable order O.C.G.A. 9-11-60 (d) (h) in the rendition of the court jurisdiction.

That the issues are moot and that probable cause exist. That the case should be bound over to the jurisdiction of the Superior Court of Fulton County. See O.C.G.A. 9-14-43, 9-14-42(c), 9-14-1(c).


Signature of Affiant, Willie C. Walker, pro se

I declare that , to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 3 day of JANUARY 2019.
Sworn to and subscribed before me this 3 Day of JANUARY 2019

Rafael Harper

Notary Public or other Person Authorized to Administer Oaths

MY COMMISSION EXPIRES
OCTOBER 17, 2020



Bind over Notification

Date: 2/26/19
Defendant: Walker, Willie
Citation(s): 4276C

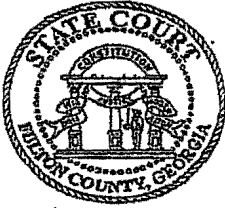
Your citation(s) have been bound over to the State Court of Fulton County. The City of South Fulton Municipal Court no longer has jurisdiction over your citation(s). Should you have any questions regarding your citation(s) please contact:

Office of Fulton County Solicitor
160 Pryor Street, SW
3rd Floor
Atlanta, GA 30303
404-612-4800

Thank you,

City of South Fulton Municipal Court Staff

5440 Fulton Industrial Boulevard, Atlanta, Georgia 30336
(470) 809-7700
www.cityofsouthfultaonga.gov



STATE COURT OF FULTON COUNTY
ATLANTA, GEORGIA

STATE COURT OF FULTON COUNTY CRIMINAL DIVISION

The Honorable Myra Dixon, Chief Judge
Nichole C. Milton, Chief Deputy Clerk
160 Pryor Street SW, Suite J-150
Atlanta, Georgia 30303
(404) 612-5085
www.fultonstate.org

INFORMATION REGARDING CASES THAT ARE BOUND OVER TO STATE COURT

Municipal Court bind-over cases are sent *directly* to the state prosecutor, the Fulton County Solicitor General, to be reviewed and a charging decision made. Per Georgia law (O.C.G.A. § 17-3-1), the Solicitor General has two years from the date of the incident to file a formal accusation of misdemeanor traffic charges. Only at that time will a formal case be initiated against you in Fulton County State Court. Soon thereafter, you will receive notice in the mail of your next court date at the address listed on your citation. Again, this may occur up to 2 years after the date of the incident.

We understand that your mailing address may change between the time your case is bound-over and when it is formally charged by the Solicitor General.

Unfortunately, because your case is sent *directly* to the Solicitor General, this Court has no record that can be updated. If your address has changed since you were issued a citation, we recommend that you check with our office every 1-2 months to see if a formal accusation has been filed against you. You may do so by checking our records online at www.fultonstate.org. Click on "Online Court Records" to the left of our home page of our website. You will then again click on "Online Court Records". Using Smart Search, search for your name. Once you are able to locate your case here, you may submit a Change of Address in writing to our office. Be sure to reference your new State Court case number when filing your Change of Address.

The following phone numbers may be helpful during this process:

- Office of the Fulton County Solicitor General (404-612-4800)
- State Court of Fulton County, Criminal Division (404-612-5085)

REPORTING OFFICER NARRATIVE

South Fulton Police Department

OCA

2018-213003

Victim

EVANS, ANTRON SHIROD

Offense

BATTERY

Date / Time Reported

Sun 12/16/2018 00:45

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 12/16/18 while on uniform patrol, I Corporal O. Fears responded to 1236 Boat Rock Rd in reference to a physical dispute among cohabitants. Upon arrival I made contact with Mr Antron Evans where he stated his roommate (Willie Walker) struck him on the hand during a verbal dispute. Mr Evans stated he and Mr Walker engaged in a verbal dispute regarding a difference in opinion from a previous discussion and the feeling of being antagonized. Mr Evans stated he suffers from and has been diagnosed with Schizophrenia. Mr Evans stated he consumes his prescription medication regularly and recently completed his daily dosage. Mr Evans stated Mr Walker initiated an argument and struck him on his right hand with a small decorative lamp. Mr Evans stated he then returned a counter punch striking Mr Walker on the left side of his face with a closed fist.

I then made contact with Mr Willie Walker where he stated while asleep in the bed Mr Evans initiated an argument with him. Mr Walker stated he then asked Mr Evans to disengage the conversation and allow him to continue resting. Mr Walker stated Mr Evans refused his requested and proceeded to confront him regarding previous discussions. Mr Walker stated Mr Evans suddenly struck him on the left side of his face with a closed fist, where he then obtained a nearby decorative lamp to defend himself. Mr Walker stated he did not strike Mr Evans at any point during the physical dispute.

Both individuals gave conflicting testimonies and contradicting physical evidence. I observed swelling on the right hand of Mr Antron Evans and swelling to the left side of Mr Willie Walker's face.

Both individuals received a criminal charge in violation O.C.G.A. 16-5-23.1 Battery with a following court date of January 29 2019 at 9:30am.

Mr Antron Evans was voluntarily transported to Grady Memorial Hospital by ambulance unit 813 for Phyciatric evaluation.

The two individuals were separated and received a copy of the applied criminal charge.

PROPERTY

INCIDENT/INVESTIGATION REPORT

South Fulton Police Department

Case # 2018-213003

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown					
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers
ROGERS, J. (SFPD70)

Suspect Hate / Bias Motivated:

NARRATIVE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

WILLIE C. WALKER,	:	
	:	
Petitioner,	:	5:14-CV-323 (CAR)
	:	
vs.	:	Proceeding Under
	:	<u>28 U.S.C. § 2241</u>
SUSAN TRUEBLOOD,	:	
	:	
Respondent.	:	

ORDER ON THE RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before the Court is the Report and Recommendation [[Doc. 15](#)] from United States Magistrate Judge Charles H. Weigle to deny Petitioner's petition for relief pursuant to [28 U.S.C. § 2241](#). Petitioner has filed an Objection to the Recommendation [[Doc. 16](#)]. Pursuant to [28 U.S.C. § 636\(b\)\(1\)](#), the Court has thoroughly considered Petitioner's Objection, has made a *de novo* determination of the portions of the Recommendation to which Petitioner objects, and finds the Objection to be without merit.

Despite Petitioner's arguments and additional evidence, he still fails to show he has appealed his current order of civil commitment or has sought habeas relief from the current confinement. Petitioner did attach "Exhibit L" to the Objection; however, this exhibit does not show he has appealed or sought habeas relief from

the January 10, 2014 order of civil commitment. In order to obtain federal relief, Petitioner must show that he has pursued a petition for writ of habeas corpus from the Baldwin County court's final order of civil commitment or that he has petitioned for relief under O.C.G.A. § 17-7-131(f); or he must show that these state remedies were unavailable or would prove ineffective to protect his rights. Because Petitioner has failed to do so, his Section 2241 petition must be dismissed.

This Court agrees with the Magistrate Judge's reasoning and conclusions as set forth in the Recommendation and **OVERRULES** Petitioner's Objection. Accordingly, the Recommendation [Doc. 15] is **ADOPTED** and **MADE THE ORDER OF THIS COURT**, and Petitioner's petition for relief pursuant to 28 U.S.C. § 2241 [Doc. 1] is hereby **DISMISSED**.

SO ORDERED, this 20th day of November, 2015.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

WILLIE C. WALKER,

Petitioner,

v.

SUSAN TRUEBLOOD,

Respondent.

*

*

Case No. 5:14-CV-323-CAR

*

*

*

J U D G M E N T

Pursuant to this Court's Order dated November 20, 2015, having accepted the recommendation of the United States Magistrate Judge, in its entirety, JUDGMENT is hereby entered dismissing this action.

This 20th day of November, 2015.

David W. Bunt, Clerk

s/ Amy N. Stapleton, Deputy Clerk

I hereby attest and certify that this is a true and correct printed copy of a document which was electronically filed with the United States District Court for the Northern District of Georgia.

Exhibit-(I)

Date Filed: 6/18/2013
 Clerk of Court
 James N. Harrison

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF GEORGIA
 ATLANTA DIVISION

WILLIE C. WALKER,	:	PRISONER CIVIL RIGHTS
Plaintiff,	:	<u>42 U.S.C. § 1983</u>
	:	
v.	:	
	:	
STATE OF GEORGIA et al.,	:	CIVIL ACTION NO.
Defendants.	:	1:13-CV-1581-CAP-LTW

ORDER AND FINAL REPORT AND RECOMMENDATION

Plaintiff is confined at Central State Hospital in Milledgeville, Georgia. Plaintiff, pro se, filed a complaint under 42 U.S.C. § 1983. (Doc. 1.) Because it was unclear from the complaint what claims, if any, Plaintiff wished to assert and what relief he sought, the Court directed him to file an amended complaint on a § 1983 form. (Doc. 3.) Plaintiff complied. (Doc. 4.) Unfortunately, the amended complaint is not much clearer than the original.

It appears from Plaintiff's filings that he has been charged with crimes in Fulton County, Georgia and has been deemed mentally incompetent to stand trial. Plaintiff states that he was transferred from jail to the mental hospital in November 2011. (Doc. 4 at 6.)

Plaintiff alleges that hospital staff censored his mail in violation of his right to access the courts and used excessive force against him in 2012. (*Id.* at 6-9.) The

(I)

hospital is located in Baldwin County, Georgia, which is not within the jurisdiction of this Court. Baldwin County is within the jurisdiction of the U.S. District Court for the Middle District of Georgia. That court is the proper venue for Plaintiff's claims regarding the events that allegedly occurred at the hospital. *See* [28 U.S.C. § 1391\(b\)](#).

Plaintiff also appears to seek habeas relief in his amended complaint, as he discusses the history of the prior case he filed in this Court seeking habeas relief while he was in jail awaiting trial. ([Doc. 4 at 3-5, 10.](#)) The Court dismissed that case because there were no special circumstances warranting intervention in the state criminal proceedings. Order, *Walker v. Georgia*, No. 1:11-cv-174-CAP (N.D. Ga. May 13, 2011), *appeal dismissed*, No. 11-13818-I (11th Cir. Oct. 25, 2011). In his amended complaint in this case, Plaintiff recites the law discussed in the Court's Orders in the prior case but makes no showing that intervention in his state criminal case is now warranted. ([Doc. 4 at 3-5, 10.](#)) Plaintiff's filings also do not indicate that he has exhausted the state remedies available to him to challenge his confinement at the hospital or any adjudication that he is mentally incompetent to stand trial.¹ (*See*

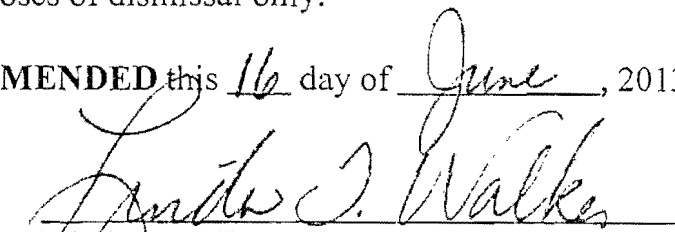
¹ Plaintiff attached to his original complaint a document he drafted and titled "Writ of Habeas Corpus" with a caption of the Superior Court of Baldwin County. ([Doc. 1 at 27-28.](#)) The document is dated March 27, 2013. (*Id.* at 28.) The Court's staff contacted the clerk's office of the Baldwin County Superior Court and learned that the Baldwin County court has no record of any habeas filing by Plaintiff.

(I)

Docs. 1, 4); O.C.G.A. § 37-3-148(a) (providing that persons detained as incompetent to stand trial may seek habeas relief in state courts). Thus, this § 1983 action should not be recharacterized as a habeas action. *See Preiser v. Rodriguez*, 411 U.S. 475, 500 (1973) (holding that habeas corpus is the “sole federal remedy” when a state prisoner seeks “a determination that he is entitled to immediate release or a speedier release from . . . imprisonment”).

Because this Court is not the proper venue for Plaintiff’s claims under § 1983 regarding events occurring at the hospital and Plaintiff may not obtain release from his confinement under § 1983, the undersigned **RECOMMENDS** that this action be **DISMISSED WITHOUT PREJUDICE** to Plaintiff’s right to present his § 1983 claims in the proper venue and to present any claims for habeas relief in a proper action after exhaustion of state remedies. The Court **GRANTS** Plaintiff leave to proceed *in forma pauperis* for purposes of dismissal only.

SO ORDERED & RECOMMENDED this 16 day of June, 2013.


LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE

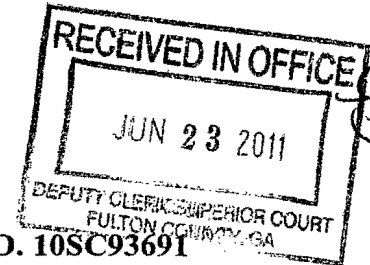
**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

V.

Willie Walker

INDICTMENT NO. 10SC93691



**JUDGEMENT AND ORDER IN PLEA OF
MENTAL INCOMPETENCY TO STAND TRIAL**

The defendant in the above-styled case, while represented by Counsel, has waived a jury trial. The Court sitting as judge and jury trying the issue formed upon the Defendant's Plea of Mental Incompetency to Stand Trial, finds as follows:

Counsel for Defendant has presented to the Court sufficient psychiatric evidence to show that Defendant is incapable of understanding the nature of the charges against him/her, nor of understanding the object of the proceedings against him/her, and is incapable of rendering his/her attorney proper assistance in his/her defense. Counsel moves that his/her plea be sustained by the Court and that the Defendant be placed in the custody of the Department of Human Resources (DHR).

After consideration of all the medical evidence and the attached psychiatric report, the Court, the Court finds in favor of the Defendant's Plea of Mental Incompetency to Stand Trial.

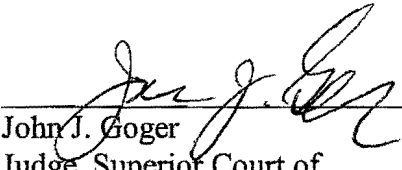
THEREFORE, the Court hereby ORDERS that the Defendant be confined in a State facility for the mentally ill. Within ninety (90) days after the Department of Human Resources has received custody of the Defendant, the Defendant shall be evaluated and a diagnosis made as to whether he/she is presently competent to stand trial or whether there is substantial probability that the Defendant will at some future time attain mental competency to stand trial in the said case.

IT IS FURTHER ORDERED that the Department of Human Resources shall report their findings and the reasons therefore to this Court.

IT IS THE FURTHER ORDER of this Court that the Sheriff of Fulton County shall transport and deliver said Defendant to the State hospital for the mentally ill, to be selected by the Department of Human Resources, along with two (2) copies of this Order.

The Court FURTHER ORDERS that the Defendant be confined and treatment rendered in accordance with O.C.G.A. §17-7-130.

This the 3 day of June, 2011.



John J. Goger
Judge, Superior Court of
Fulton County, Georgia

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FORENSICS

PAGE 02/11

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

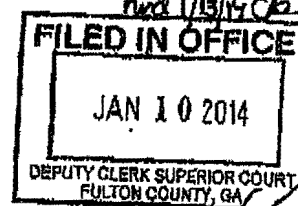
WILLIE C. WALKER,

Defendant.

INDICTMENT NOS:

10SC93691

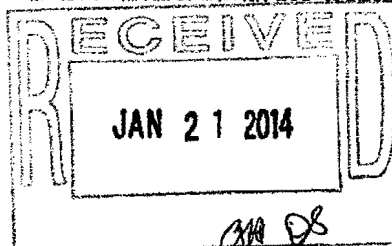
11SC99124



**JUDGMENT AND ORDER OF CIVIL COMMITMENT FOLLOWING A FINDING OF
INCOMPETENCE TO STAND TRIAL FOR VIOLENT OFFENSE**

This matter came before the undersigned Judge on a Petition for Hearing to Determine Need for Civil Commitment to the Department of Behavioral Health and Development Disabilities after being found Incompetent to Stand Trial pursuant to O.C.G.A. § 17-7-130. A hearing was held on January 10, 2014 in which the Defendant was represented by Chandani Patel and the State was represented by Irina Khasin and David Wong. The Court having heard clear and convincing evidence of the Defendant's mental condition at said hearing makes the following findings of fact and conclusions of law:

1. The accused is charged with the violent offenses of Aggravated Child Molestation and Obstruction of Law Enforcement Officer.
2. The accused has been found Incompetent to Stand Trial on the foregoing charges.
3. The accused is mentally ill with a diagnosis of Schizophrenia Paranoid type.
4. The accused patient presents a substantial risk of imminent harm to self or others or is so unable to care for his own physical health and safety as to create an imminently life-endangering crisis.
5. Commitment to the Department of Behavioral Health and Developmental Disabilities on an inpatient basis is the least restrictive environment for treatment for the accused.



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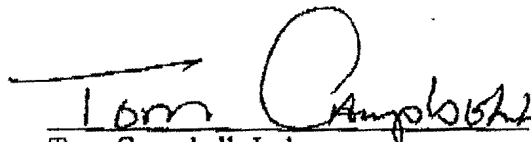
PAGE 11/11

6. The Court finds the accused is a mentally ill person who meets the statutory criteria requiring involuntary treatment as set out in O.C.G.A. § 37-3-1(9.1).
7. The accused shall be reevaluated annually for civil commitment to the Department of Behavioral Health and Developmental Disabilities. However, pursuant to O.C.G.A. § 17-7-130 (e)(2)(B)(iv), the accused shall not be civilly committed beyond the maximum period of life, which is the most the accused could have been sentenced on the most serious violent offence charged of Aggravated Child Molestation.

The Court having found the accused meets the civil commitment criteria of O.C.G.A. § 37-3-1, et seq., it is therefore ORDERED that the Sheriff of Fulton County transport and deliver said accused to a state hospital for the mentally ill, to be selected by the Department of Behavioral Health and Developmental Disabilities, along with two (2) copies of this Order.

IT IS FURTHER ORDERED that the accused shall be confined in said facility until this Court, pursuant to the procedures outlined in O.C.G.A. § 17-7-130, shall find and determine that said accused no longer meets the inpatient civil commitment criteria.

SO ORDERED, this 10 day of January, 2014.

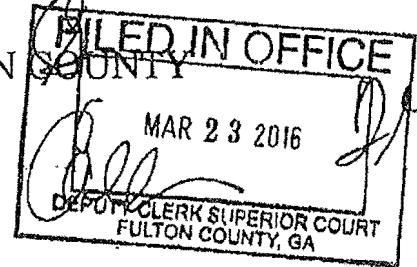

Tom Campbell, Judge
Superior Court of Fulton County
Atlanta Judicial Circuit

Copies to:
Irina Khasin
David Wong
Chandani Patel

CAM
C

ORIGINAL

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



STATE OF GEORGIA

v.

WILLIE WALKER,
Defendant.

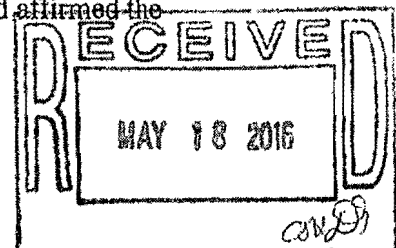
CASE NO. 10SC93691
11SC99124

ORDER MODIFYING CIVIL COMMITMENT

The Defendant, having previously been found incompetent to stand trial on charges of Aggravated Child Molestation and Obstruction of a Law Enforcement Officer, and having met the criteria for involuntary inpatient civil commitment was committed to the custody of the Georgia Department of Behavioral Health & Developmental Disabilities. This case came before this Court on January 14, 2016, for annual review pursuant to O.C.G.A. § 17-7-130.

On January 14, 2016, this Court held a review hearing. Defendant was present and he was represented in the hearing by Attorney Chandani Patel of the Atlanta Circuit Public Defender's Office. The Court heard testimony from Dr. Theresa Betts. Prior to the hearing, Dr. Betts submitted a letter dated January 12, 2016 (Attachment A) recommending a modification that would allow Defendant to participate in community outings and eventually to have day and overnight passes in order to visit potential group homes. Initially, Defendant would be taken on community outings along with 2 staff members; then, after several successful outings, he would be allowed to continue community outings with supervision on 1 staff member to 5 individuals.

Based on the Defendant's treating psychologist, who testified that the Defendant continued to meet the criteria for involuntary civil commitment and affirmed the



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recommendations in the above-referenced letter dated January 12, 2016, the Court FINDS that the State has met its burden for involuntary inpatient civil commitment of the Defendant as set forth in O.C.G.A §§ 37-3-1 and 17-7-130 and authorizes the modifications referenced above.

Specifically, the Court FINDS that: (1) the Defendant continues to meet the criteria for civil commitment based on his current inability to recognize the impact of his mental illness on his functioning, his need for on-going treatment, and failure to recognize the need to change his behaviors based on his charges of aggravated child molestation. As such, he is considered to be a danger to himself, to others, and is unable to care for himself; and (2) that the Defendant is incompetent to proceed either to trial or to enter into a plea of guilty as he is incapable of understanding the nature and the object of the criminal proceedings against him, unable to comprehend his own condition, and unable to assist counsel in providing a proper defense.

ACCORDINGLY, the Court hereby **ORDERS** that the Defendant shall be continued on commitment to the Georgia Department of Behavioral Health & Developmental Disabilities for a period not to exceed twelve (12) months. During that twelve-month period, the Defendant shall be confined as provided by the modified conditional release and treated as deemed appropriate by medical staff in accordance with O.C.G.A. §17-7-130. The Defendant will appear before this court again no later than January 12, 2017, or as soon as practicable thereafter for an Annual Review.

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SO ORDERED this 23rd day of March 2016.

Tom Campbell

The Honorable Thomas Campbell, Jr.
Judge, Fulton County Superior Court
Atlanta Judicial Circuit

Order Prepared by:
David Getachew-Smith, Sr.
Chief Senior Assistant District Attorney
Office of the Fulton County District Attorney
136 Pryor Street, SW – Third Floor
Atlanta, GA 30303
(404) 613-4782

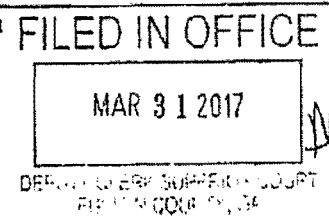
In the Superior Court of Fulton County of the State of Georgia

STATE OF GEORGIA

versus

WILLIE C. WALKER,
*Defendant.*Cases 10SC93691
and 11SC99124

Judge CAMPBELL



ORDER MODIFYING CIVIL COMMITMENT

After WILLIE C. WALKER ("Defendant") was found incompetent to stand trial on charges of aggravated child molestation and obstruction of a law enforcement officer. This Court found that Defendant met the criteria for involuntary inpatient civil commitment, and committed Defendant to the custody of the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD"). This case came back before the Court on March 22, 2017, for annual review pursuant to OCGA § 17-7-130. Defendant was present at the hearing and was represented by attorney CHANDANI PATEL, Esq., of the Atlanta Public Defender's Office.

At that hearing, the Court took testimony concerning Defendant's treatment from THERESA J. BETTS, Psy.D., a clinical psychologist at Central State Hospital, and admitted into evidence a report written by Dr. Betts regarding the same ("State's Exhibit 1").

According to Dr. Betts, Defendant had not threatened or physically assaulted anyone in 2016 and has been participating well in treatment programs, and his "treatment team believes that [Defendant] is no longer an imminent and substantial ricks to others, such that he could be maintained in a less restrictive environment." However, Dr. Betts opined that Defendant continues to meet the criteria for civil commitment. For example, Dr. Betts opined that Defendant's improvement is based in part upon medications, that Defendant is unlikely to maintain such medications without supervision, and that without such medications, Defendant is likely to decompensate.

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APR 7 2017

Initial: CBP

Dr. Betts opined that Defendant still meets the criteria for involuntary civil commitment and recommended a modification of that commitment that would allow Defendant: "to participate in day and overnight visits when a suitable placement has been identified that addresses his needs for living in the community" which can provide him a structured environment which addresses: "safety issues in his interacting with children; preventing his return to the vacant house where he [previously] was residing; compliance with psychotropic medications; and living under the supervision of the Court while being monitored by" DBHDD. See State's Exhibit 1, page 2.

Based on Dr. Betts's testimony and Report, this Court FINDS that the State has met its burden for involuntary civil commitment of Defendant as set forth in OCGA §§ 37-3-1 and 17-7-130, and authorizes the modifications references above.

After hearing the testimony presented, considering the record in this case inclusive of previous annual reviews, and considering the positions of the State and Defense, the Court hereby FINDS that Defendant continues to meet the civil commitment criteria cited above for involuntary outpatient commitment at this time. The Court hereby makes the following ORDERS regarding Defendant's commitment:

1. Defendant shall remain under the care and legal custody of DBHDD.
2. DBHDD is ordered to begin transitioning Defendant from inpatient to outpatient status. This is to include, but is not limited to, seeking appropriate placement in a forensic group home, continuing off campus outings, and application of benefits for Defendant.
3. Defendant shall be granted day and overnight passes to group or personal care homes for the purpose of transitioning Defendant back into the community.
4. Such a home shall be supervised at all times when Defendant is present.
5. Defendant shall be supervised by staff from either Central State Hospital or a Community Integrative Home (that is: a group home operated by DBHDD) at all times when he is outside the hospital or group home.

6. Defendant shall refrain from:

- a. Interacting with minors;
- b. The use of alcohol or any drugs which are not prescribed for him as part of his treatment plant; and
- c. Possession of firearms, knives, or weapons of any kind.

7. Defendant's passes are contingent upon Defendant's continued adherence to the rules and regulations of the Forensic Treatment Program at Central State Hospital. If Defendant fails to adhere to the parameters set forth by the Forensic Treatment Team on any occasion, the Forensic Treatment Team shall have the discretion to suspend these passes.

8. Prior to placing Defendant, Defendant's Treatment Team / DBHDD first must identify an appropriate outpatient facility or community integrative home and an outpatient commitment plan must be submitted to the Court for final approval. Such placement must be appropriately structured and supervised, and shall include at a minimum 24-hour staffing with alarm notices on all doors and windows. Further, Defendant's Treatment Team / DBHDD shall submit such outpatient commitment plan to this Court as soon as is possible after identifying such placement.

9. The Sheriff of Defendant's residence, or other appropriate jurisdiction, or his lawfully designated deputy, is authorized to take Defendant into their custody and transport Defendant to Central State Hospital or local Georgia Regional Hospital upon telephone request from Central State Hospital without the need for an additional Order from this Court.

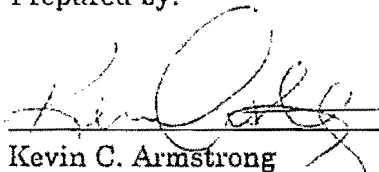
So ORDERED this the 31st day of March, 2017.



The Honorable TOM CAMPBELL

Judge, Superior Court of Fulton County

Prepared by:



Kevin C. Armstrong
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Consented to by:



Chandani Patel
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Initial: Che CSIN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

State of Georgia)	Indictment No. 10SC93691 and 11SC99124
)	
v.)	
)	Judge Tom Campbell
WILLIE WALKER)	

ORDER MODIFYING CIVIL COMMITMENT
(AMENDED)

After the Defendant, Willie Walker, was found incompetent to stand trial on charges of aggravated child molestation and obstruction of a law enforcement officer (felony), this Court found that Defendant met the criteria for involuntary inpatient civil commitment and committed Defendant to the custody of the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD"). This case came before the Court on March 22, 2017 for annual review pursuant to OCCA 17-7-130. Mr. Walker was present at the hearing and was represented by attorney, Chandani Patel, of the Atlanta Public Defender's Office.

After hearing the testimony presented, considering the record in this case inclusive of previous annual reviews, and considering the positions of the State and Defense, the Court FOUND that Mr. Walker continued to meet the civil commitment criteria but was eligible for involuntary outpatient commitment. The Court ordered the DBHDD to begin transitioning Mr. Walker from inpatient to outpatient status. Additionally, prior to permanently placing Mr. Walker in an outpatient facility, the Court ordered DBHDD to submit a detailed outpatient commitment plan for the Court's final approval.

On October 23, 2017, DBHDD identified an appropriate outpatient facility for Mr.

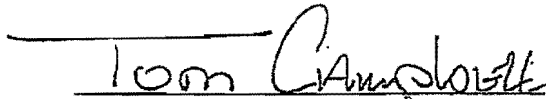
Walker as well as provided a detailed outpatient commitment plan to the Court. After receiving the plan, the Court hereby makes the following ORDERS regarding Mr. Walker's commitment:

1. Mr. Walker shall reside at the following residence:
Boat House Inc., a Community Integrated Home (CIH)
1236 Boat Rock Rd, Atlanta, GA 30331.
Contact Person: Demetria Carson, LPC
Telephone number: 470-259-3265
2. The Court approves this outpatient commitment placement only so long as the CIH maintains 24 hour a day staffing with alarm notices on all of the doors and windows. Should the CIH fall below these standards, the DBHDD must return Mr. Walker to an inpatient facility or, with the Court's approval, to another appropriate outpatient facility which does meet these standards.
3. Mr. Walker shall receive Day Programming through the following agency:
Genesis Alliance for Mental Wellness
4540 Memorial Dr. #C
Decatur, GA 30032
Telephone number: 678-683-7970
4. Mr. Walker shall attend all scheduled appointments with his treating psychiatrist and other mental health providers. He shall attend day program regularly. Boat House, Inc. will provide transportation to the mental health center and the Day Program. Mr. Walker shall be supervised at all times when in the community (to include all times when he is outside the CIH). He shall have no independent access to the community.
5. Mr. Walker must take all prescribed medications and must participate in any prescribed laboratory testing.
6. Mr. Walker shall not make any threats or actions to harm himself or others. He shall not possess any weapons
7. Mr. Walker shall not drink alcoholic beverages or use any street drugs or medications that are not prescribed specifically for him. He shall submit to random drug screen testing.
8. If Mr. Walker experiences significant symptoms of his mental illness, he will be admitted to a crisis stabilization program, if deemed appropriate by his treatment

team.

9. Mr. Walker shall be supervised at any time he is in a situation in which a child could be present.
10. Any visits by family or friends shall be supervised and Mr. Walker shall not visit others outside of the group home for at least the first six months of his placement. At that time, his community team will determine if supervised day visits to family or friends is appropriate.
11. If Mr. Walker becomes dangerous to himself or others or leaves the CIH, the Forensic Community Coordinator, Asalmah Abulbaaqee 470-925-6271 will be notified. The Outpatient Forensic Director, Dr. Darcy Shores 478-251-5805, will be notified as needed for further directions.

SO ORDERED this the 7th day of November, 2017.


JUDGE TOM CAMPBELL
FULTON COUNTY SUPERIOR COURT
ATLANTA JUDICIAL CIRCUIT

Prepared by:
Chandani Patel
Attorney for the Defendant
Bar No. 350737

CC:
Kevin Armstrong
Assistant District Attorney
Office of the Fulton County District Attorney
136 Pryor Street, SW – Third Floor
Atlanta, GA 30303

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

State of Georgia)	Indictment Nos. 11SC99124
)	10SC93691
v.)	
)	Judge Tom Campbell
WILLIE WALKER)	

ORDER MODIFYING CIVIL COMMITMENT

After the Defendant, Willie Walker, was found incompetent to stand trial on charges of aggravated child molestation, this Court found that Defendant met the criteria for involuntary inpatient civil commitment and committed Defendant to the custody of the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD").

This case came before the Court on November 5, 2018 for annual review pursuant to OCGA 17-7-130. Mr. Walker was present at the hearing and was represented by attorney, Zachary Podenski, of the Atlanta Public Defender's Office.

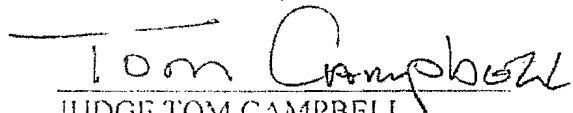
After hearing the testimony presented, considering the record in this case inclusive of previous annual reviews, and considering the positions of the State and Defense, the Court FOUND that Mr. Walker continued to meet the civil commitment criteria but was eligible for outpatient treatment. The Court further ordered that, based upon the recommendation of Dr. Shores of DBHDD, Mr. Walker shall be allowed to transition into a "supported forensic apartment." All other orders previously entered by this Court are to continue, including:

1. Mr. Walker shall receive Day Programming through the following agency:
Genesis Alliance for Mental Wellness
4540 Memorial Dr. #C
Decatur, GA 30032

Telephone number: 678-683-7970

2. Mr. Walker shall attend all scheduled appointments with his treating psychiatrist and other mental health providers. He shall attend day program regularly. Mr. Walker must be supervised at all time when in the community. He shall have no independent access to the community.
3. Mr. Walker must take all prescribed medications and must participate in any prescribed laboratory testing.
4. Mr. Walker shall not make any threats or actions to harm himself or others. He shall not possess any weapons
5. Mr. Walker shall not drink alcoholic beverages or use any street drugs or medications that are not prescribed specifically for him. He shall submit to random drug screen testing.
6. If Mr. Walker experiences significant symptoms of his mental illness, he will be admitted to a crisis stabilization program, if deemed appropriate by his treatment team.
7. Mr. Walker shall be supervised at any time he is in a situation, in which it is likely children will be present.
8. If Mr. Walker becomes dangerous to himself or others or leaves the supported forensic apartment, the Outpatient Forensic Director, Dr. Darcy Shores 478-251-5805, will be notified.

SO ORDERED this the 8th day of November, 2018


JUDGE TOM CAMPBELL
FULTON COUNTY SUPERIOR COURT
ATLANTA JUDICIAL CIRCUIT

Prepared by:
Zachary Podenski
Attorney for the Defendant
Bar No. 760173

CC:

Kevin Armstrong

~~Assistant District Attorney~~

~~Office of the Fulton County District Attorney~~

~~136 Pryor Street, SW – Third Floor~~

~~Atlanta, GA 30303~~

Darcy L. Shores, Ph.D, Psy.D.

Director, Community Forensic Services-West

Georgia Department of Behavioral Health & Developmental Disabilities

3000 Schatulga Road, Building 5

Columbus, GA 31907

Danelle Foster, M.S., L.A.P.C.

Forensic Community Coordinator

Georgia Department of Behavioral Health & Developmental Disabilities

3000 Schatulga Road, Building 5

Columbus, GA 31907